

Apr 21, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

9 SETH REISENAUER,

10 Plaintiff,

11 v.

12 COLUMBIA DEBT RECOVERY d/b/a
13 GENESIS CREDIT MANAGEMENT,
14 LLC,

15 Defendant.

No. 2:21-CV-00122-SAB

**ORDER DENYING
DEFENDANT'S SECOND
MOTION FOR SUMMARY
JUDGMENT**

17 Before the Court is Defendant's Second Motion for Summary Judgment, ECF
18 No. 27. The motion was considered without oral argument. Plaintiff Seth Reisenauer
19 is represented by Kirk Miller and Shayne Sutherland. Defendant Columbia Debt
20 Recovery doing business as Genesis Credit Management, LLC ("CDR") is
21 represented by Daniel Culicover and Petra Ambrose.

22 On December 8, 2021, CDR filed a Motion for Summary Judgment regarding
23 Mr. Reisenauer's claims under the Fair Debt Collections Practice Act, 15 U.S.C.
24 § 1692 *et seq.*, Washington Consumer Protection Act, RCW § 19.86 *et seq.*, and
25 Washington Collection Agency Act, RCW § 19.16.250 *et seq.* ECF No. 19. The
26 Court granted the motion in part on March 24, 2022, finding that Mr. Reisenauer's
27 debt was not legally dissolved, but disputes of material fact precluded resolution of
28 whether the debt was liquidated. *See* ECF No. 39.

**ORDER DENYING DEFENDANT'S SECOND MOTION FOR SUMMARY
JUDGMENT *1**

1 Now, CDR brings a substantively identical motion for summary judgment.
2 The only discernable difference is that CDR submitted declarations to authenticate
3 certain pieces of evidence, such as Mr. Reisenauer's lease and Hilton's invoices,
4 through the Declarations of Dan Hilton, ECF No. 29, Erik Rohde, ECF No. 30, and
5 Daniel Culicover, ECF No. 31. In this case, authentication of the evidence submitted
6 by CDR does not alter disposition of the motion for summary judgment. For the
7 same reasons discussed by the Court in its March 24, 2022 Order, disputes of
8 material fact preclude summary judgment on the issue of whether Mr. Reisenauer's
9 debt is liquidated.

10 Accordingly, **IT IS ORDERED:**

11 1. Defendant's Second Motion for Summary Judgment, ECF No. 27, is
12 **DENIED.**

13 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter
14 this Order and to provide copies to counsel.

15 **DATED** this 21st day of April 2022.



A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is cursive and appears to be a digital reproduction of a handwritten document.

20 Stanley A. Bastian
21 Chief United States District Judge
22
23
24
25
26
27
28

**ORDER DENYING DEFENDANT'S SECOND MOTION FOR SUMMARY
JUDGMENT *2**